

1 BILL NO. Z-83-04-120

2 ZONING MAP ORDINANCE NO. Z


3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. K-30.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE
6 CITY OF FORT WAYNE, INDIANA:

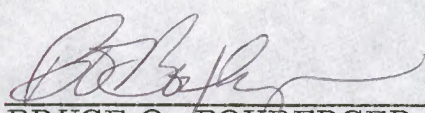
7 SECTION 1. That the area described as follows is hereby
8 designated an M-1 (Light Industrial) District under the terms of
9 Chapter 33 of the Code of the City of Fort Wayne, Indiana, 1974:

10 Lots #28 & #29 in Norwood Augmented Addition;
11 and the symbols of the City of Fort Wayne Zoning Map No. K-30, as
12 established by Section 11 of Chapter 33 of the Code of the City of
13 Fort Wayne, Indiana are hereby changed accordingly.

14 SECTION 2. That this Ordinance shall be in full force and
15 effect from and after its passage and approval by the Mayor and the
16 legal publication thereof.

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COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

FOX RIVER BOND
25% COTTON

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by _____, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>1</u>	<u>8</u>	_____	_____	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GiaQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHOMBURG</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCRUGGS</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 7-26-82

Sandra E. Kennedy

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____

on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ .M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ .M., E.S.T.

WIN MOSES, JR. - MAYOR

Read the first time in full and on motion by Stee, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 4-12-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Stee, seconded by Dir Jumbo, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>0</u>	<u>9</u>	_____	_____	_____
<u>BRADBURY</u>	_____	<u>✓</u>	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GiaQUINTA</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHOMBURG</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCRUGGS</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 5-24-83

Sandra E. Kennedy
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____ 19____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR. - MAYOR

BILL NO. Z-83-04-12

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No.

K-30

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do not PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

James S. Stier

Janet G. Bradbury

Victure Scruggs

Mark E. Giaquinta

Roy J. Schomburg

Concurred 7-26-83

Sandra E. Kennedy

~~HOLD~~
~~may 17~~

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VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

John
Janet G. Bradbury
Victure L. Scruggs
Mark E. GiaQuinta
Roy J. Schomburg

Cy, dated 5-24-83

A. Kennedy

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We Joseph & Maria Onz
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-B District to a/an M1 District the property described as follows:

940 Conradstreet - Norwood Augmented Addition

Section 22 Lot 28 + 29

Deed Record Book #:

Page #:

Instrument # 394 - March 16, 1972

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Joseph & Maria Onz

1109 W. Coliseum Blvd

for. S. Onz

Fort Wayne 46808

Maria Onz

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Joseph Onz
(Name)

1109 W. Coliseum
(Address & Zip Code) 08

483-9102
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 12, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-04-12; and,

WHEREAS, the require notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 18, 1983;

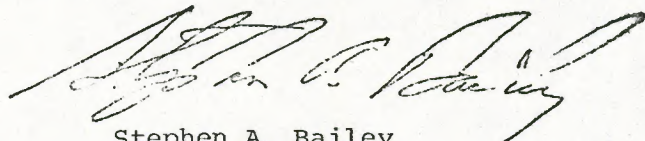
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 25, 1983.

Certified and signed this
26th day of April 1983.



Stephen A. Bailey
Secretary

RECEIPT

Cash

No 8188

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 3-28 1982

RECEIVED FROM Jos. Diaz \$ 50.00

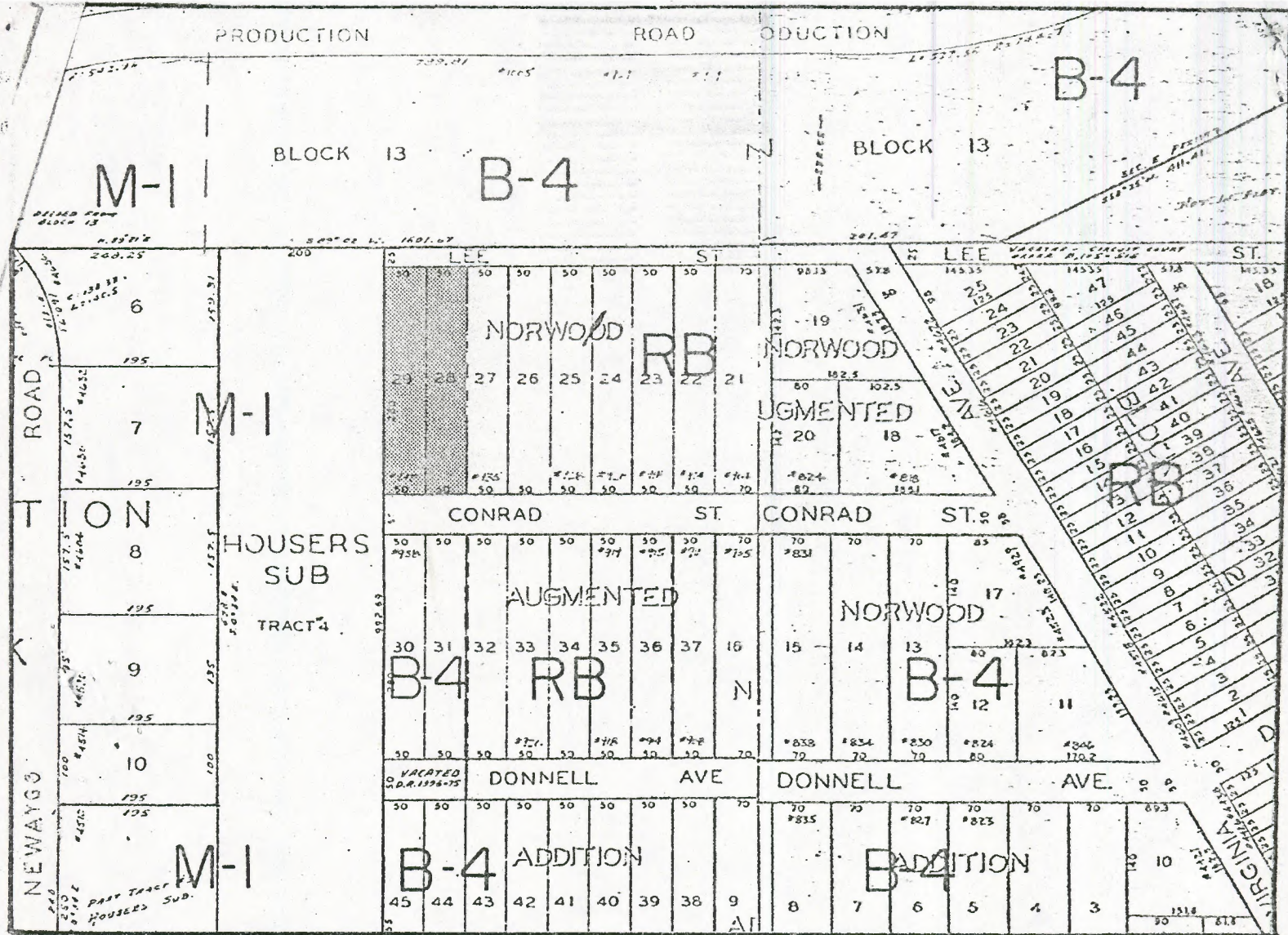
THE SUM OF fifty ^{00/100} DOLLARS

ON ACCOUNT OF _____

reporing R56 M-1

taxB

AUTHORIZED SIGNATURE



A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN RB TO A M-I DISTRICT.

MAP NO. K-30

Z-83-04-12

ORIGINAL

DIGEST SHEET

Admn. Appr. _____

TITLE OF ORDINANCE Zoning Ordinance Amendment *83-04-12*

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE Lots #28 & 29 in Norwood Augmented Addition.

EFFECT OF PASSAGE Property is now zoned RB - Suburban Residential. Property will become M-1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain RB - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



The City of Fort Wayne

City-County Building - One Main Street - Fort Wayne, Indiana 46802

CITY PLAN COMMISSION

26 April 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 25, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-83-04-12
2. From RB to M-1
3. Intended Use: Small manufacturing business.
4. Plan Commission Recommendation: DO PASS

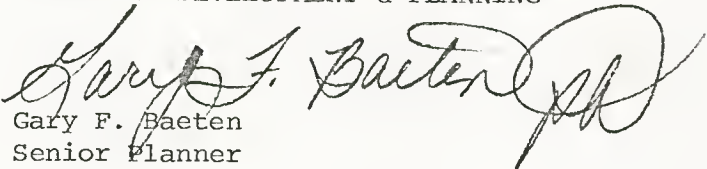
This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or value or the area adjacent to the property included in the rezoning will not be adversely affected.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb



The City of Fort Wayne

Office of the City Clerk

May 26, 1983

City Plan Commission of the
City of Fort Wayne, Indiana
8th Floor, City-County Building
Fort Wayne, IN 46802

RE: Bill No. Z-83-04-12

Gentlemen:

Please be advised that the Common Council of the City of Fort Wayne, Indiana, at a Regular Session held on May 24, 1983, did reject Bill No. Z-83-04-12. The vote on this bill was (0) ayes and (9) nays.

Accordingly, in accordance with IC 18-7-510 returned herewith is said bill for your further consideration. The following consists of a written statement setting forth a summation of reasons given by those voting for rejection of said proposed Bill No. Z-83-04-12.

1. No need appears for the passage of said Bill. Community associations are opposed to its passage.
2. No access and all vehicles would be required to go through the residential area to get to public roads.

It is respectfully requested that action be taken by your commission as required under the provision of IC 18-7-4-510.

Respectfully yours,

Common Council of the City
of Fort Wayne, Indiana
BY: Ben A. Eisbart, its President

City Plan Commission of the
City of Fort Wayne, Indiana

Page 2
May 25, 1983

Sandra E. Kennedy

ATTEST: Sandra E. Kennedy, Clerk
Common Council of the City
of Fort Wayne, Indiana

Received from the Office of the City Clerk on Thursday, May 26, 1983.

Gary Baeten

Gary Baeten - Senior Planner
Community Development and Planning

PETITION IN FAVOR OF ZONING CHANGE FROM RB TO M1
BILL # Z-83-04-12

LOT 28 & 29 - 940 CONRAD STREET
OWNER : MR. & MRS. Joseph ONZ

NAME :

ADDRESS:

Maria T. Onz

940 Conrad Street 28

J. E. Onz

940 Conrad St 29

Edmund Blas

4430 Virginia Ave.

W. A. Thiel

838 Donnell Ave.

T. O. Thiel

722 Alameda Street

Ruth Howell

4621 Arizona Ave

John Kupp

930 DONNELL AVE

John Wheeler

708 Donnell Ave

Dominic M. M. M.

938 CONRAD

John A. Stevens

~~938~~ Conrad

Don Koenig

814 Coliseum Blvd.

William R. Richard

724 West Coliseum Blvd.

Wm. Deunkam

918 Conrad St.



The City of Fort Wayne

Division of Land Use Management

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING

28 June 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Re: Bill No. Z-83-04-12
From RB to M-1

Gentlemen and Mrs. Bradbury:

Please be advised that the City Plan Commission of the City of Fort Wayne, Indiana, at its regular meeting held June 27, 1983, reconsidered Bill No. Z-83-04-12. This bill was rejected by the City Council at their regular meeting held May 24, 1983 and subsequently, as is required by I.C. 18-7-4-510, returned to the City Plan Commission for reconsideration.

The City Plan Commission recommended DO NOT PASS of Bill No. Z-83-04-12 at their meeting of June 27, 1983. The vote on said bill was seven (7) yeas; and two (2) members absent.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

Joseph E. Onz,
1109 W. Coliseum Blvd.
Fort Wayne 46808

Petition in favor of zoning change
from RB to M1 Bill # Z-83-04-12

HONOURABLE MEMBERS OF THE COUNCIL !

I am Mr. Onz, and in this zoning dispute I want you to know some additional facts yet.

Right now I am paying, to the City of Fort Wayne, \$ 2.100.-- on property taxes. If I am able to put a new building up in this disputed area, I am going to be paying an additional \$ 1.700.-- to the city. Please compare that with 10 vacant lots in that area what brings in only a total of around \$ 230.-- on taxes to the city.

We are employing 3 people at this time. Within 2 years we should be able to employ 5. A local contractor will build the building. There is no magic formular in business to succeed. The operating costs have to be lower then the profit. If my property should not be rezoned we are forced to move out of the Fort Wayne area, and into another county or nearby smaller town which we are very reluctantly want to do. Our other option is to operate the way we are right now and just to try to get our money back. Close the business down and put the people back in the unemployment line and forget about the whole matter.

I have shown you very correctly and in detail where my property is located. I have also shown you just as many people in favor of the rezoning as Mr. Adams has against it. It is just a matter of time before this whole area is going to be zoned for business anyway. If you would rezone my property, what I am hoping for, all you will be doing is speeding up the process.

Thank you !



7-11-83

PETITION IN FAVOR OF ZONING CHANGE FROM RB TO M1
BILL # Z-83-04-12

LOT 28 &. 29 - 940 CONRAD STREET
OWNER : MR.&.MRS. Joseph ONZ

NAME :

ADDRESS:

Maria T. Onz		940 Conrad street	28
J. E. Onz	483-9102	940 Conrad St	29
Edmund Olag	482-1832	4430 Virginia Ave.	
W. A. Thiel	482-2240	838 Donnell Ave.	
T. J. Thiel	483-0363	722 Almond Street	
Ruth Howell	483-5294	4621 Arizona Ave	
John Kupp	484-3214	930 DONNELL AVE	
John Wheeler	484-5415	708 Donnell Ave	
Dominic Mankel	484-4805	938 CONRAD	
John A. Stevens	482-7094	923 Conrad	
Don Koenig	483-4680	814 Coliseum Blvd.	
William R. Richard	483-3850	724 West Coliseum Blvd.	
Wm. Dunkam	484-1192	918 Conrad St.	
Benny Beer	483-4276	928 Conrad St	

- Zoning Change From RB To M1 -
- Bill No. Z-83-0412 -

Re: Remonstrance: -
Bill No. 283-0412

T. E. Pelz
722 Dunn Street
Fort Wayne, 46808 IN
Tel: 483-9363

Honorable:- "City Council Members" -

- 1st This Remonstrance Bill should have been presented correctly to the City Plan Commission.
- 2nd The Remonstrance Introduction is a misnomer or a falsehood. Quote: members of the Norwood-Houser Association - Unquote - They were and never has been a Neighborhood Association in any of these Additions. Continued - Quote: vote ~~against~~ against the only "M1" spot zoning in the neighborhood - Unquote. At the end of Conrad Street and Donnell Avenue in Houser Sub-Division has been "M1" for a period of time. Also, prepared by: Department Of Community Development & Planning Map. The listing address adjacent to 722 Dunn Street is in "M1" Zone. This building has been used 51 - years for storage.
- 3rd Mr. Stan Adams, telephoned me twice. He asked me to present his remonstrance, to the neighbors for signatures. The next time he asked me if I would sign it. Both times, my answers were ^{emphatically} "NO" and at this time I was only ~~intrested~~ ~~for~~ ~~the~~ ~~City~~ ~~Water~~ ~~Petition~~ ~~approval~~ ~~for~~ ~~the~~ ~~neighborhood~~ ~~which~~ ~~was~~ ~~being~~ ~~processed~~. Stan Adams did not sign the City Water Petition. He refused twice.
- 4th When Stan Adams expressed his thoughts to me by telephone, About the traffic flow on Conrad Street and Donnell Avenue. You would come to conclusion that he was talking about Inter-State Highway No. 169. Norman Burekhalter and Stan Adams ^{for} presented this unclear Remonstrance to the neighbor signatures. However, N. G. Gilbert, Corp. Donnell Avenue - Pypofax Service Bottled-Gas Co; Virginia Avenue and Coliseum Blv'd - West corner. ^{These} companies have trucks. Also, other trucks do flow down the street and Avenue mentioned, such as, soft drinks, beer, water and Etc.
- 5th It would help, if Lee Street would have an entrance and exit?
- 6th Most of the property owners living in this district, do not receive any notification from down-town. Stan Adams seems to always know whats going on.

Respectfully submitted,


T. E. Pelz

MEMO:

Page 27 - Remonstrance Bill No. Z-83-c412 - NO HEADING - ?

On Page 2 - They are 12 - signatures on a blind sheet of paper. Signatures for what project?

Orig: Presented: 7/5/83 A.M. To Mrs. J. Schomburg, 3rd District Council Member.
T. E. Pelz

REMONSTRANCE BILL # Z-83-0412

ZONING CHANGE from RB to M1

Honorable Council Members,

We, the undersigned members of the Norwood-Houser Association wish to express our disappointment of City Plan's "DO PASS" recommendation of Bill # Z-83-0412. We appeal to you to disregard this recommendation and vote against the only "M1" spot zoning in our neighborhood.

Thank You,

NAME

LOT #'S

Total
Business
Area

{ Eric Adams 1 thru 7, 19 thru 22 Bl 1
1 thru 7 Block 4
Lot 11 Norwood

Total
Business
Area

{ Eric Adams Lots 8, 9, 10, 11, 26, 27, 28, 29 Bl 1
Lots 18, 19, 20, 21 Bl 2
Lots 30, 31 Bl 4
Lot 17 Norwood

Norman F. Bullhalter Lot 32 + 33 Bl 14 House

Richard W. Weeks Lots 10

Norman S. M. Heek Lot 36 + 37

Norman S. Hughes Lot 35 North L

Norman Heek 728 Gross ☒ reconsider

John H. Storer 13 Council ☒ in favor of zoning

Miss Charlotte T. Kingston 922 Donnell Ave

NAME

LOT #'S

Robert J Barnes 8-10 -26-29 BLK 4

Total Business Area { Kenneth Van Zant - 6-7-8-9-10-11-12-13-14-15-16-17-18-19
20-21-22- 30-31-32-33-34-35-36-37-38 39-40
41-42-43 44-45-46. Block #5 HOUSES

Bessie Bacon 4617 Virginia Ave.

Business { Dr. James W. Jones 831 Conrad
Mrs. Elmer Dimer 824 Conrad St.

Mrs. Lillian Dimer 418 Conrad St. ← reconsidered in favor of zoning.

George A. Bickelbein 904 Conrad St.

Pauline Dorman 4622 Virginia Ave.

Miss B. B. B. 4631 Virginia

James G. Babcock 4629 Arizona Tr.

Ed. M. Luby 4522 VIRGINIA

M. P. Thiel 838 Farnell 15- ← reconsidered in favor of zoning.

P E T I T I O N

Owners: Mr. and Mrs Joseph Onz
 Fort Wayne, Ind., 940 Conrad Street - z/c 46808
 Tel: 483-9102

To the Board of Public Works of the City of Fort Wayne:

PETITION IN FAVOR OF ZONING CHANGE Gentlemen:
 FROM RB TO MI - BILL #Z-83-04-12

The undersigned, owners of real
 estate on additional names - continuation from Page 1, from

_____ to _____
 respectfully petition for the passage of a resolution providing for the zoning change from RB to MI in
 Norwood Addition - Norwood Augumented - Hausers:

MEMO:

- Houser's Sub-Division Is listed in Zone M-I -

TEL. NO:

Karen Roberts	926 Donnell Ave	485-0847
Beth Munn	4426 Virginia Ave	637-6594 / 437-6597
Odessa Richens	824 Donnell Ave	483-0216 / 432-2910